



**Attachment 1
INFORMATION DISCLOSURE STATEMENT**

RECEIVED

JUN 17 2003

Pertaining to:

Application: ~~09/055792~~ 09/655,792

Patent Name: Instant Musician, Recording Artist and Composer

Inventor: Bernard H. Browne, Jr.

OFFICE OF PETITIO

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No information contained herein, or any information sent to or from the United States Patent and Trademark Office (USPTO) has been received from or sent to any foreign patent office, or for that matter, no information concerning this patent has been sent to or from any other person or business in this country or any other country. A table below lists all communications related to this matter.

Signed:

Bernard H. Browne, Jr.
Bernard H. Browne, Jr., Inventor

Date: 6-12-03

Statement hereby witnessed by:

Jim R. Brads

Date: 6-12-03

SUMMARY OF ALL COMMUNICATIONS ON APPLICATION 09/655792

A. Action Item No.	B. USPTO Mail Date	C. Inventor Action Date	D. Action Description
1.		8/31/00	Initial patent application
2.	1/24/01		3 month reply requested for more specification detail, modification of claim(s) and comments on possible similar material in the patents of Sitrick, Aoki, et al.
3.		04/16/01	30 day extension requested along with \$55.00 paid via check.
4.		5/23/01 (Received 5/29/01)	Amended application provided as requested in action item 2 including more detailed specification (7 pages increased to 29 pages), more drawings (11 drawings increased to 28 drawings), more detailed claims (1 multi part claim amended to 17 comprehensive claims) and well documented reasons why our patent application was different from the material in the patents of Sitrick, Aoki, et al.

A. Action Item No.	B. USPTO Mail Date	C. Inventor Action Date	D. Action Description
5.	10/04/01		"Final Action" with 3 month reply requested relating to what appeared to be new material in our amended specification, claims, drawings; and reasons why our application didn't infringe upon patents of Sato, Farrand, Goede, Miyano and Eller.
6.		12/24/01 (Received 1/15/02)	Material provided to USPTO as requested including: proof that new functional material was not added in the 05/23/01 amendment, corrections to claims and reasons why our application didn't infringe upon the inventors' material referenced above.
6a.	2/08/02		Trina at Patent Office called inventor on phone and requested a late fee of \$55.00. It was not explained what the fee covered.
7.		2/08/02	Inventor FAXed Trina at the Patent Office authorizing a \$55.00 charge to inventor's American Express account.
8.	2/13/02 (Final action was due 1/04/02)		Advisory action stating that the "amendment" filed on "1/15/02" did not comply with Rule 37 CFR 1.121. It was documented that "The period for reply expires 3 months from the mailing date of the final rejection." Since this advisory action was mailed after the due date of the final action, it was intentional assumed that a new final action date was 3 months from the mailing date of this advisory or 5/13/02.
9.		5/03/02	209 pages of patent material mailed complying with 37 CFR 1.121 within the 3 months (11 weeks and 2 days) of action 8 including marked up original material to show amendments and clean versions of the amended abstract, specification, claims and drawings both with the original figure numbers and with new figure numbers.
11.	5/23/02		Notice of abandonment stating that paper filed 5/03/02 was not filed on time.

A. Action Item No.	B. USPTO Mail Date	C. Inventor Action Date	D. Action Description
12.		5/29/02	Letter to Assistant Commissioner of Patents explaining that the Inventor felt that the reply to the Patent Office's 2/13/02 request was due 5/13/02 because: 1) the Patent Office requested a 3 month response from the Final Action which had already expired on 1/04/02, and 2) the Patent Office requested a \$55.00 late fee on 2/08/02.
13.	6/21/02		Statement that the advisory action mailed 2/13/02 did not set a new three month shortened statutory period for a reply.
14.		6/25/02	Inventor's request for advice on what action was required to complete the patent action and more detail provided on the timing of the Inventor's actions.
15.	7/25/02		Notice that the Applicant is required to file a petition under 37 CFR 1.137 for revival of the application.
16.		8/07/02	Applicant files a petition under 37 CFR 1.137 (a) OR 37 CFR 1.137 (b) for revival of the application.
17.	10/03/02		Letter from petitions attorney dismissing petitions under 37 CFR 1.137 (a) AND 37 CFR 1.137 (b) because they were not proper.
18.		11/15/02	Request to reconsider reactivation of patent per 37 CFR 1.137 (a) showing errors on the part of USPTO in assessing the inventor's timing.
19.		3/20/03	Letter wondering when the patent will finally be granted.
20.		5/08/03	Letter to Petitions attorney Nancy Johnson wondering what happened to our 11/15/02 request for some action.
21.	5/08/03		Letter from USPTO dismissing petition under 37 CFR 1.137(a) recommending that revival under 37 CFR 1.137 (b) could be achieved by properly filing of either: <ul style="list-style-type: none"> ● a notice of Appeal (37 CFR 1.191) ● a Continuation Application, or ● an RCE (37 CFR 1.114)

A. Action Item No.	B. USPTO Mail Date	C. Inventor Action Date	D. Action Description
22.		6/12/03	Request for Continued Examination (RCE) 37 CFR 1.114 via Petition for revival under 37 CFR 1.137(b) for unintentional delay.